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In Re: Richard P. Simon and Nancy J. Simon  
Debtor,

Chapter: 7  
Case No: 09-40402  
Judge Joel B. Rosenthal

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**NOTICE TO CREDITORS TO FILE CLAIMS**

It now appears that there may be sufficient funds to pay a dividend to unsecured creditors. The size of the dividend will depend on the claims that are filed and allowed. To participate in any distribution you must file a claim with the **OFFICE OF THE CLERK**, in one of the following locations.

○ United States Bankruptcy Court  
1101 O'Neill Federal Building  
10 Causeway Street  
Boston, MA 02222-1074

○ United States Bankruptcy Court  
211 Donohue Federal Building  
595 Main Street  
Worcester, MA 01608-2076

○ United States Bankruptcy Court  
United States Courthouse  
300 State Street, Suite 220  
Springfield, MA 01105-2925

A proof of claim form has been included with this notice for your convenience.

NO DIVIDEND CHECK LESS THAN \$5.00 WILL BE ISSUED.

The last day of filing a claim is **11/2/09**

For further information, please contact the Trustee:

Jonathan R. Goldsmith  
Jonathan R. Goldsmith, Esq  
1350 Main Street  
10th Floor  
Springfield, MA 01103  
413-747-0700

Date: 8/4/09

James M. Lynch  
Clerk, U.S. Bankruptcy Court



B10 (Official Form 10) (12/08)

<b>UNITED STATES BANKRUPTCY COURT District of Massachusetts</b>		<b>PROOF OF CLAIM</b>
Name of Debtor: Richard P. Simon Sr. Nancy J. Simon		Case Number: 09-40402
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property):		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.  <b>Court Claim Number:</b> _____ <i>(If known)</i>  <b>Filed on:</b> _____
Name and address where notices should be sent:		
Telephone number:		
Name and address where payment should be sent (if different from above):		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
Telephone number:		
<b>1. Amount of Claim as of Date Case Filed:</b> \$ _____  If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.  If all or part of your claim is entitled to priority, complete item 5.  <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		<b>5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.</b>  Specify the priority of the claim.  <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).  <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507 (a)(4).  <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).  <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7).  <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).  <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(____).  <b>Amount entitled to priority:</b>  \$ _____  <i>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</i>
<b>2. Basis for Claim:</b> _____ (See instruction #2 on reverse side.)		
<b>3. Last four digits of any number by which creditor identifies debtor:</b> _____  <b>3a. Debtor may have scheduled account as:</b> _____ (See instruction #3a on reverse side.)		
<b>4. Secured Claim</b> (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.  <b>Nature of property or right of setoff:</b> <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <b>Describe:</b>  <b>Value of Property:</b> \$ _____ <b>Annual Interest Rate</b> ____ %  <b>Amount of arrearage and other charges as of time case filed included in secured claim,</b> <b>if any:</b> \$ _____ <b>Basis for perfection:</b> _____  <b>Amount of Secured Claim:</b> \$ _____ <b>Amount Unsecured:</b> \$ _____		
<b>6. Credits:</b> The amount of all payments on this claim has been credited for the purpose of making this proof of claim.  <b>7. Documents:</b> Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. <i>(See instruction 7 and definition of "redacted" on reverse side.)</i>  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain:		
<b>Date:</b> _____	<b>Signature:</b> The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.	
		<b>FOR COURT USE ONLY</b>

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

**B10 (Official Form 10) (12/08) - Cont.**

**INSTRUCTIONS FOR PROOF OF CLAIM FORM**

*The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.*

**Items to be completed in Proof of Claim form**

**Court, Name of Debtor, and Case Number:**

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

**Creditor's Name and Address:**

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

**1. Amount of Claim as of Date Case Filed:**

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

**2. Basis for Claim:**

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

**3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:**

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

**3a. Debtor May Have Scheduled Account As:**

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

**4. Secured Claim:**

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

**5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a):**

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

**6. Credits:**

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

**7. Documents:**

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

**Date and Signature:**

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

**DEFINITIONS**

**Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

**Creditor**

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

**Claim**

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

**Proof of Claim**

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

**Secured Claim Under 11 U.S.C. §506(a)**

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

**Unsecured Claim**

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

**Claim Entitled to Priority Under 11 U.S.C. §507(a)**

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

**Redacted**

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

**Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

**INFORMATION**

**Acknowledgment of Filing of Claim**

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system ([www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)) for a small fee to view your filed proof of claim.

**Offers to Purchase a Claim**

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

# Certificate of Service

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# CERTIFICATE OF NOTICE

District/off: 0101-4  
Case: 09-40402

User: admin  
Form ID: adintccl

Page 1 of 2  
Total Noticed: 40

Date Rcvd: Aug 04, 2009

The following entities were noticed by first class mail on Aug 06, 2009.

db/jdb +Richard P. Simon, Sr., Nancy J. Simon, 41 Courtland St., Worcester, MA 01602-4326  
aty +Daniel I. Cotton, Wolfson, Keenan, Cotton & Meagher, 390 Main Street, Suite 1000,  
Worcester, MA 01608-2505  
aty +Jonathan R. Goldsmith, Esquire, Law Offices of Jonathan R. Goldsmith, 1350 Main Street,  
10th Floor, Springfield, MA 01103-1664  
tr +Jonathan R. Goldsmith, Jonathan R. Goldsmith, Esq, 1350 Main Street, 10th Floor,  
Springfield, MA 01103-1664  
16839186 +A Federated Corporation, MurphyLomon & Assoc, PO Box 2206, Des Plaines, IL 60017-2206  
16839188 +ALD Worldwide Logistics, LLC, 745 Dillon Dr., Wood Dale, IL 60191-1273  
16839187 +Advanta Bank Corp, PO Box 8088, Philadelphia, PA 19101-8088  
16839190 +American Express Bank, C/O Smith, Levenson, Cullen & Aylward, 5 Essex Green Dr,  
Peabody, MA 01960-2929  
16839191 +American Express Centurion Bank, C/O Gary H. Kreppel, Esq., 1661 Worcester Rd Ste 401,  
Framingham, MA 01701-5405  
16839192 +Ban Of America, C/O Creditors Financial Group, PO Box 440290, Aurora, CO 80044-0290  
16839194 +Bank Of America, PO Box 15102, Wilmington, DE 19886-5102  
16839193 +Bank Of America, PO Box 15726, Wilmington, DE 19886-5726  
16839198 +Cedarcrest Capital, C/O F H Cann Assoc, 1600 Osgood St.?Ste20-2&#092;120,  
Andover, MA 01845-1048  
16839200 +Chase Bank USA, N.A., C/O Zwicker & Associates, 80 Minuteman Rd, Andover, MA 01810-1008  
16839201 +Clipper Magazine, C/O Brennan & Clark, 721 E. Madison?Suite 200, Villa Park, IL 60181  
16839203 +Exxon Mobil, C/O NFS, PO Box 9041, Hicksville, NY 11802-9041  
16839202 +Exxon Mobil, Processing Center, Des Moines, IA 50361-0001  
16839204 +First Equity Card Corp, PO Box 23029, Columbus, GA 31902-3029  
16839205 +GMAC Mortgage, PO Box 9001719, Louisville, KY 40290-1719  
16839206 +Home Depot Credit, PO Box 6029, The Lakes, NV 88901-6029  
16839210 +Lowe's Business Account, PO Box 530970, Atlanta, GA 30353-0970  
16839211 +Massachusetts Dept Of Revenue, PO Box 7010, Boston, MA 02204-7010  
16839212 +Nationwide Credit, PO MBox 740640, Atlanta, GA 30374-0640  
16839213 +PayPal Plus, PO Box 960080, Orlando, FL 32896-0080  
16839214 +UPS, PO Box 730900, Dallas, TX 75373-0900  
16839215 +UPS Cardmember Service, PO Box 15153, Wilmington, DE 19886-5153  
16839216 +Verion, C/O Harvard Collection Services, 4839 N. Elston Ave, Chicago, IL 60630-2534  
16839217 +Worcester Business Journal, 172 Shrewsbury St, Worcester, MA 01604-4636

The following entities were noticed by electronic transmission on Aug 05, 2009.

aty +E-mail/Text: USTPRegion01.WO.ECF@usdoj.gov Lisa D. Tingue,  
Office of the U.S. Trustee, 446 Main Street, Worcester, MA 01608-2359  
tr +EDI: QJRGOLDSMITH.COM Aug 04 2009 20:38:00 Jonathan R. Goldsmith,  
Jonathan R. Goldsmith, Esq, 1350 Main Street, 10th Floor, Springfield, MA 01103-1664  
ust +E-mail/Text: USTPRegion01.WO.ECF@usdoj.gov Richard King,  
Office of US. Trustee, 446 Main Street, 14th Floor, Worcester, MA 01608-2361  
cr EDI: BECKLEE.COM Aug 04 2009 20:38:00 American Express Centurion Bank,  
c/o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701  
16839187 +E-mail/Text: DL\_EBN@advanta.com Advanta Bank Corp, PO Box 8088,  
Philadelphia, PA 19101-8088  
16839189 +EDI: AMEREXPR.COM Aug 04 2009 20:38:00 American Express, PO Box 1270,  
Newark, NJ 07101-1270  
16839194 +EDI: BANKAMER2.COM Aug 04 2009 20:38:00 Bank Of America, PO Box 15102,  
Wilmington, DE 19886-5102  
16839195 +EDI: BANKAMER.COM Aug 04 2009 20:38:00 Bank Of America, PO Box 15710,  
Wilmington, DE 19886-5710  
16839193 +EDI: BANKAMER2.COM Aug 04 2009 20:38:00 Bank Of America, PO Box 15726,  
Wilmington, DE 19886-5726  
16839196 +E-mail/Text: COAFINTERNALBKTEAM@CAPITALONEAUTO.COM  
Capital One Auto Finance, PO Box 93016, Long Beach, CA 90809-3016  
16839197 +EDI: CAPITALONE.COM Aug 04 2009 20:38:00 Capital One Bank, PO Box 70884,  
Charlotte, NC 28272-0884  
16839199 +EDI: CHASE.COM Aug 04 2009 20:38:00 Chase, Cardmember Service, PO Box 15153,  
Wilmington, DE 19886-5153  
16839207 +EDI: IRS.COM Aug 04 2009 20:38:00 Internal Revenue Service, PO Box 9019,  
Holtsville, NY 11742-9019  
16839208 +EDI: RMSC.COM Aug 04 2009 20:38:00 JC Penney, PO Box 960090, Orlando, FL 32896-0090  
16839209 +EDI: CBSKOHL.COM Aug 04 2009 20:38:00 Kohl's, PO Box 3004, Milwaukee, WI 53201-3004  
16867918 EDI: ECAST.COM Aug 04 2009 20:38:00 eCAST Settlement Corporation, POB 35480,  
Newark NJ 07193-5480

TOTAL: 16

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

aty\* +Jonathan R. Goldsmith, Jonathan R. Goldsmith, Esq, 1350 Main Street, 10th Floor,  
Springfield, MA 01103-1664

TOTALS: 0, \* 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0101-4  
Case: 09-40402

User: admin  
Form ID: adintccl

Page 2 of 2  
Total Noticed: 40

Date Rcvd: Aug 04, 2009

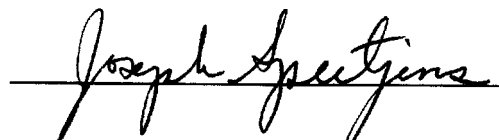
\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 06, 2009

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.